

wilfully permitting any [of the Road Supervisors] *employee* to so exercise [their] *his* duties shall, without excluding other things, be construed as misconduct in office.

314. If any person shall alter, change, obstruct or encroach upon any public road in said county, or cut down, destroy or injure any of the bridges, causeways, boundaries, marks or directions therein or thereon, he shall, on conviction [in the circuit court for said county], *by any Justice of the Peace exercising criminal jurisdiction in Kent County*, be fined, at the discretion of the court, not exceeding [fifty] *one hundred* dollars, the same to be paid to [and accounted for by the supervisor of the district where the road lies.] *the County Commissioners to be applied to the general road fund of the County.*

331. In addition to any sentence of confinement in the County Jail of Kent County which may be imposed for failure to pay any fine or fines by the Circuit Court for Kent County, or any justice of the peace for Kent County having criminal jurisdiction, said Court or justice shall also in said sentence direct that any prisoner over sixteen years of age who may be so sentenced shall be subject to performing labor for and during the period of his imprisonment on the public roads of Kent County, or on the public streets of any incorporated town in said county [; provided, that during] . *Also, whenever the Circuit Court or any such justice of the peace has sentenced a person to imprisonment within Kent County as part of a criminal penalty, he may in the sentence direct that the prisoner thus be subject to performing labor. During the employment of such prisoner on the public streets of any incorporated town, the town authorities of such town so employing such prisoner shall be charged with the expense which may attend such employment [and provided further, that this Act]. This sub-heading shall not apply to female prisoners.*

332. The labor provided for in [the preceding] Section 331 shall be performed, if within the corporate limits of any incorporated town, under the supervision and direction of the town commissioners [and bailiff] *or Mayor and Council, or a duly authorized representative thereof*, of such town, and if on the public roads of Kent County then under the supervision and direction of the County Commissioners, or [the road supervisor of any district who may be authorized by the County Commissioners to work the same; and the] *a duly authorized officer or representative thereof.* The Sheriff of Kent County, upon the demand of any bailiff, supervisor or other persons duly authorized to make such demand, is hereby authorized and required to deliver such prisoner to the party so making the demand and entitled to receive the same, whenever and at such times as he may be so legally required; and the labor to be performed by such prisoner may include every service necessary for the purpose of draining, grading, paving, *maintaining* or repairing such public streets or other highways of Kent County within or without the limits of any incorporated town therein.

333. The officer or other person having such prisoner in charge shall have power and authority to compel such labor, and shall be responsible for the safe keeping and return to prison of such prisoner to the custody of the sheriff at the end of each day's labor, which day's labor shall be within the discretion of the officer or other person